

2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Steubenville-Weirton PM<sub>2.5</sub> nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(c) Based upon EPA's review of the air quality data for the 3-year period 2007–2009, EPA determined that the Charleston fine particle (PM<sub>2.5</sub>) nonattainment area attained the 1997 annual PM<sub>2.5</sub> National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Charleston PM<sub>2.5</sub> nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(d) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Parkersburg-Marietta, WV-OH and Wheeling, WV-OH fine particle (PM<sub>2.5</sub>) nonattainment areas attained the 1997 annual PM<sub>2.5</sub> National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the areas' air quality as of the attainment date, whether the areas attained the standard. EPA also determined that the Parkersburg-Marietta, WV-OH and Wheeling, WV-OH PM<sub>2.5</sub> nonattainment areas are not subject to the consequences of failing to attain pursuant to section 179(d).

(e) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Martinsburg-Hagerstown, West Virginia-Maryland (WV-MD) fine particle (PM<sub>2.5</sub>) nonattainment area attained the 1997 annual PM<sub>2.5</sub> National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's

air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Martinsburg-Hagerstown, WV-MD PM<sub>2.5</sub> nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

[76 FR 55544, Sept. 7, 2011, as amended at 76 FR 56643, Sept. 14, 2011; 76 FR 62641, Oct. 11, 2011; 76 FR 75467, Dec. 1, 2011; 77 FR 1414, Jan. 10, 2012]

#### **§ 52.2528 Significant deterioration of air quality.**

(a) The requirements of Sections 160 through 165 of the Clean Air Act are met since the plan includes approvable procedures for the Prevention of Significant Air Quality Deterioration.

(b) Regulations for Preventing Significant Deterioration of Air Quality, the provisions of § 52.21(p) (4), (5), (6), and (7) are hereby incorporated and made a part of the applicable state plan for the state of West Virginia.

[51 FR 12518, Apr. 11, 1986]

EFFECTIVE DATE NOTE: At 78 FR 33985, June 6, 2013, § 52.2528, paragraph (b) was removed and reserved, effective Aug. 5, 2013.

#### **§§ 52.2529–52.2530 [Reserved]**

#### **§ 52.2531 Base year emissions inventory.**

(a) EPA approves as a revision to the West Virginia State Implementation Plan the 1990 base year emission inventories for the Greenbrier county ozone nonattainment area submitted by the Secretary, West Virginia Department of Commerce, Labor & Environmental Resources on December 22, 1992. These submittals consist of the 1990 base year point, area, non-road mobile, biogenic and on-road mobile source emission inventories in Greenbrier County for the following pollutants: Volatile organic compounds (VOC), carbon monoxide (CO), and oxides of nitrogen (NO<sub>x</sub>).

(b) EPA approves as a revision to the West Virginia State Implementation Plan the 2002 base year emissions inventory for the Huntington-Ashland, WV-KY-OH fine particulate matter (PM<sub>2.5</sub>) nonattainment area submitted by the West Virginia Department of Environmental Protection on May 28, 2009. The 2002 base year emissions inventory includes emissions estimates